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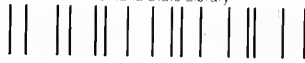
An Introduction to

THE MONTANA LEGISLATIVE COUNCIL

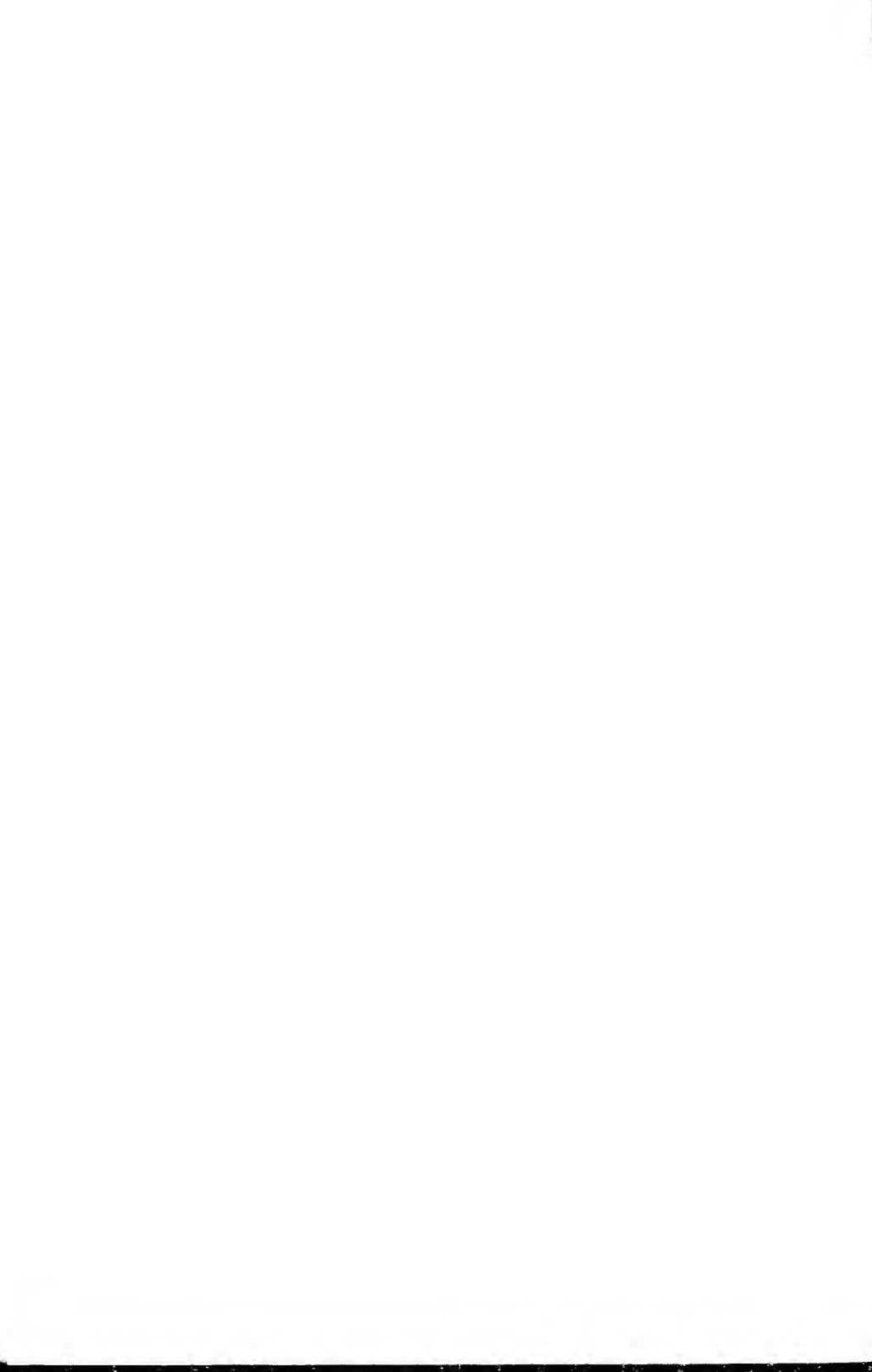


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The Council

The Legislative Council consists of four members chosen from the House and four members chosen from the Senate. Both political parties are equally represented on the Council. Each new Council must be chosen by the Speaker of the House and the Senate Committee on the 15th day of the first regular session of the biennium, and members serve for the biennium.

The law charge the Council with administrative responsibility relative to the Council staff. An important responsibility of the Council since 1975 has been supervision of the reorganization of Montana's statutes by a Code Commissioner assigned to the Council staff. The Montana Code Annotated, as published by the Code Commissioner, was adopted as prima facie the law of Montana by Chapter 2, Laws of 1977.

Under the nonadministrative provisions of the law, the Council provides a legislative safety net. In the event a problem demanding legislative action arises during the interim, assign study of the problem to an existing or ad hoc interim study committee.

The Council may not approve or disapprove substantive portions or recommendations of any interim committee report.

The Council Staff

The staff of the Legislative Council acts as an independent, nonpartisan, impartial staff agency for the Legislature, performing those duties and functions assigned by law or as directed or requested by members and committees of the Legislature. The Council staff also provides information to the public in legislative matters.

The staff is divided into four functional divisions: Legislative Services Division, Research and Reference Services Division, Legal Services Division, and Management and Business Services Division.

The Legislative Services Division is responsible for clerical preparation of introduced bills, for engraving introduced bills, and for printing and mailing of the bills. This division uses a computerized word processing system in order to operate with a high degree of effectiveness and accuracy with a relatively small staff of copy editors, typists, and proofreaders and is also responsible for publication of the legislative journals, of a numerical compilation of code sections affected by the session law, and the final session law. The computerized word processing system is also utilized in the publication of the Montana Code Annotated.

The Research and Reference Services Division and the Legal Services Division have many of the same responsibilities. Both divisions perform general and specialized research and reference and information functions. Staff members from both divisions may assist in the preparation of the Legislative Review, staff legislative committees during the session and throughout the interim, draft legislation, prepare legislative and staff reports, and provide information of the legislative process to the public. During the interim, the Legal Services Division is primarily responsible for publication and updating of the Montana Code Annotated.

The House of Representatives has the continuing obligation, indexing, rearranging, and general updating of the new 1960 Annotations, including case notes to federal and state court decisions and other material useful to MFR users, will be published separately from the statutes and will be available in early 1960. The Annotations will be published in a loose-leaf format so that they may be easily updated.

The Research and Reference Services Division maintains a reference library containing items of special interest to legislators and legislative staff. The library maintains a liaison with other libraries to help make information available as quickly as possible.

The Management and Business Services Division maintains all bookkeeping records; signs all legislative claims and payrolls; requisitions all printing, supplies, and equipment; and serves the House and Senate during a Session.

Legislative Council Staff:

Diana S. Dowling, Executive Director and Code Commissioner
Eleanor Eck, Administrative Assistant

Research Division

Robert B. Person, Director
Teresa Olcott Cohea, Researcher
Kathleen M. Harrington, Researcher
Jim Oppedahl, Researcher
Deborah M. Schmidt, Researcher
Dennis M. Taylor, Researcher
Daniel Diaz, Librarian
Ellen Garrity, Secretary

Legal Services Division

Robert Clark Pyfer, Director
J. Cort Harrington, Staff Attorney
James H. Lear, Staff Attorney
Randall J. "Rock" McDonald, Staff Attorney
Joan Helen Pauly, Staff Attorney
Gregory J. Petesch, Staff Attorney
Russ Josephson, Legal Researcher
Nadine E. Geil, Indexer
Jacqueline Nichols Terrell, Indexer
Valeri Hanson, Index Technician
Helen MacPherson, Secretary

Legislative Services Division

Roberta Moody, Director

Legislative Interim Operations:

Sections 5-5-20, and Sections 5-5-11 through 5-5-16, M.C.A., provide the boundaries within which the Legislature must act during an interim. During the legislative session, resolutions may be proposed requesting interim studies. Immediately following the session, the Legislative Council must prepare a list of study resolutions adopted by the Legislature and distribute it to each legislator. Each legislator is requested to rank the studies in order of importance. After reviewing the priority list, the selected staff, each legislator, and the staff assistance required for each study, the Legislative Council determines which studies will be undertaken.

There are four types of committees that function during an interim: full standing committees, interim study committees, select committees, and committees established by law.

Interim study committees are appointed by the Legislature immediately after receiving recommendations from the chairmen of appropriate standing committees of the House and Senate. A study committee consists of four members from each house. No more than two members from each house may be of the same political party. Interim study committees do the majority of the interim work. Each study committee must report its findings and recommendations to the Legislature at the opening of the next session.

A select committee is formed to examine a particular issue or problem. This committee is responsible to the house from which it was created. It operates in a fashion similar to the interim study committees except that it may operate during a session. A select committee reports to the Legislature upon completion of its study.

The full standing committees are also authorized to function during the interim. However, because of the expense of holding meetings, these committees meet infrequently.

Committees established by law are appointed and meet in accordance with provisions of their authorizing statutes. The Council staff assists such committees upon request.

Legislative Intern Program

The Legislative Council also administers the Legislative Intern Program, established by law in 1974. This program provides an opportunity for qualified Montana college and university students to gain first-hand experience of the legislative process. Each unit of the Montana University System may select at least one intern, and five additional interns may be chosen from applications submitted to the Council. The Council assigns each intern to a legislator, and the intern is directly responsible to that legislator.

LEGISLATIVE RESEARCH PUBLICATIONS

since its creation the Council has issued the following major research publications:

1957-58 Interim

- *Legislative Handbook
- *Report No. 1 - Montana State Prison
- *The Administration of Higher Education in Montana
(by G. Homer Durham)
- *General Report No. 1

1959-60 Interim

- *The State Government of Montana (Organization Chart)
- *Report No. 2 - Legislative Procedures
- *Report No. 3 - The Organization and Administration of State Government
- *Report No. 4 - State Land and Investments
- *Report No. 5 - Higher Education
- *Report No. 6 - Property Taxation in Montana
- *General Report No. 2

1961-62 Interim

- *Bill Drafting Manual for the Montana Legislative Assembly
- Report No. 7 - Executive Reorganization
- *Report No. 8 - Fiscal Control
- *Report No. 9 - State Treasury Fund Structure

1963-64 Interim

- *The State Government of Montana (Organization Chart)
- Report No. 10 - Legislative Rules
- Report No. 11 - Public Official and Employee Bonds -- Fees
Collected by State Agencies
- *Report No. 12 - Personnel Management
- *Report No. 13 - Administration of State Liquor Monopoly
- *Report No. 14 - Investment of Public Funds
- *Report No. 15 - Revision of Laws of the Department of Public
Institutions
- *Report No. 16 - Property Taxation and the Montana Property
Classification Law

1965-66 Interim

- Report No. 17 - Legislative Fiscal Analysis
- *Report No. 18 - Revision of Public Health Law -- Revision of Fire Protection Laws
- *Report No. 19 - Professional and Occupational Licensing Board
- *Report No. 20 - Revision of Laws for Public Schools
- Report No. 21 - Conservancy Districts
- *Report No. 22 - Retirement Systems for Policemen and Firemen
- Report No. 23 - Montana Taxation

1967-68 Interim

- *The State Government of Montana (Organizational Chart)
- Report No. 24 - Building Standards -- Election Laws
- *Report No. 25 - The Montana Constitution
- Report No. 26 - Montana Corporation License Tax
- Report No. 27 - State Printing
- Report No. 28 - Vocational Education

1969-70 Interim

- Report No. 29 - Regulation of the Sale and Use of Pesticides -- Pesticide Statewide Laboratory System
- Report No. 30 - Self-Insurance on State-Owned Property
- Report No. 31 - Property Taxation -- Right of Entry
- Report No. 32 - Recodification of School Laws -- Elementary and Secondary Education -- Higher Education
- Report No. 33 - Administrative Procedures
- Report No. 34 - Local Government
- Report No. 35 - Income Taxation
- Report No. 36 - Board of Railroad Commissioners Ex-Officio Public Service Commission of Montana
- Report No. 37 - Vietnam Honorarium

1971-72 Interim

- Report No. 38 - Executive Reorganization
- Report No. 39 - Health Service Corporations
- Report No. 40 - Higher Education, Duplications
- Report No. 41 - Highways
- Report No. 42 - Insurance - Reform
- Report No. 43 - Juvenile Institutions
- Report No. 44 - Legislative Modernization
- Report No. 45 - Local Government
- Report No. 46 - Public Service Commission
- Report No. 47 - Bell, Bell and Sound System, Office of Representative
- Report No. 48 - School Construction
- Report No. 49 - School Equalization Aid
- Report No. 50 - School Foundation Program

Report No. 51 - Self-Insurance, Schools
Report No. 52 - State Laboratories
Report No. 53 - Water Resources
Report No. 54 - Welfare

1973 Interim

Bond Issues in Montana
Election Reform
Swan River Youth Forest Camp
Financing and Administration of Public Libraries
Right to Know, Right to Participate
Special Education for the Handicapped
Progress Report on House Joint Resolution No. 22 -- Retirement
Systems for Public Employees
Campaign Practices and Finances

1974 Interim

Workmen's Compensation
The Montana High School Association and Montana Interschool Activities
Moneys, Solvent Credits, and Industrial Facilities Taxation
Alcoholic Beverage Control Statutes
Fossil Fuel Taxation
Institutions
Equality of the Sexes
Uniform Fee Taxation and Anniversary Date Registration of Motor Vehicles
Actuarial Valuation; State Law Enforcement Retirement Programs

1975-76 Interim

Collective Bargaining and the State Wage and Classification Plan
Entry into Montana's Trades, Crafts, and Professions
Limitations on the Waiver of Sovereign Immunity
Medical Malpractice
Montana's District Courts
Montana's Inheritance Taxes
Montana's Property Taxes: Assessment and Classification
Montana's State Income Tax
Preservation of Agricultural Lands: Alternative Approaches
Public Access to Public Lands
Revision of Montana's Fire Laws
Right of Privacy -- Implementing Article II, Section 10, of the
Montana Constitution
Wine and Liquor Marketing Alternatives for Montana

1977-78 Interim

Administrative Code Committee Biennial Report

Capital Master Plan: Report and Recommendation
 Comparative Individual Tax Burdens in the Fifty State
 Community College Governance
 Termination of Existing Water Rights
 Election Laws
 Income Tax Indexing
 Legislative Improvement
 Local Government Laws
 Montana's Historical and Cultural Resources
 Montana's Subdivision Laws: Problems and Prospects
 Motor Vehicle Fee System
 Report of the Coal Tax Oversight Committee
 Report of the Committee on Indian Legal Jurisdiction
 Revision of Montana's Property Tax Classification System
 State Legal Services
 Taxation of Metal Mines
 Taxation of Montana's Financial Institutions
 The Human Service Delivery System in Montana
 Timber Taxation in Montana
 Vocational Education Governance

* Copies of reports marked with an asterisk are not available for distribution.

1979-1981 INTERIM STUDIES

Studies assigned by the Legislative Council for the 1979-1981 interim and the membership of each study committee:

STUDY COMMITTEE ON ANNEXATION LAW

Study of all laws relating to annexation to identify conflicts, duplications, and inadequacies and to prepare remedial legislation.

Sen. George McCallum, Chairman	Rep. James Azzara, Vice-Chairman
Sen. Steve Brown	Rep. Jay Fabrega
Sen. Lloyd C. Lockrem, Jr.	Rep. Burt L. Hurwitz
Sen. Bob Peterson	Rep. Gerald R. Kessler

STUDY COMMITTEE ON CORRECTIONS POLICY AND FACILITY NEEDS

Study of Montana's overall correction policy and related prison needs.

Rep. Dan Yardley, Chairman	Sen. Stan Stephens, Vice-Chairman
Rep. Budd R. Gould	Sen. Bob Brown
Rep. Andrea "Andy" Hemstad	Sen. Thomas E. Towe
Rep. Michael H. Feedy	Sen. Fred Van Valkenburg

STUDY COMMITTEE ON BRANCHING OF FINANCIAL INSTITUTIONS

Study of the need for financial institutions to branch within the state and alternate methods of authorizing branching.

Sen. Pat Ryan,	Rep. Harold L. Smith
Chairman	Rep. Robert L. (Bob) Mac
Sen. John P. Boylan	Rep. Dennis Math
Sen. John M. Greenwood	Rep. Joe T. Gill
Sen. Matt Blasi	

STUDY COMMITTEE ON PAYMENTS IN LIEU OF TAXES TO LOCAL GOVERNMENTS

Study of problems related to state-owned property and the question of mandates to local governments.

Sen. Robert D. Watt,	Rep. Herman L. Bartel
Chairman	Vice-Chairman
Sen. Max L. Power	Rep. Mike Loney
Sen. Everett L. Lindberg	Rep. Harshen M. Ponder
Sen. Jesse A. O'Hara	Rep. Patricia J. (Bobbi) Walker

STUDY COMMITTEE ON ENERGY FORECASTING

Study of the adequacy of existing energy load forecasts and the necessity and desirability of developing an independent state energy load forecasting capability.

Sen. George F. Koskie,	Rep. Joe Quill Jr.
Chairman	Vice-Chairman
Sen. Harold L. Dover	Rep. Art Lund
Sen. Greg Jergeson	Rep. Carl A. Seifert
Sen. Corrie R. Thiessen	Rep. John Vincent

STUDY COMMITTEE ON RETIREMENT SYSTEMS

Study of the effects of inflation on public retirement systems, especially the Teachers' Retirement System.

Rep. John Vincent,	Sen. William F. Hafferman,
Chairman	Vice-Chairman
Rep. William (Red) Menahan	Sen. Gary C. Aklestad
Rep. Howard C. Porter	Sen. Tom Hager
Rep. James M. Schultz	Sen. Lawrence G. Stimat

LEGISLATIVE COMMITTEE ON CONTAINMENT DEPOSIT

Study of the problem of controlling the use of biological materials.

Rep. Bob Thott,	Sen. Patrick T. Ryan,
Chairman	Vice-Chairman
Rep. Hal Harper	Sen. Allen C. Kolstad
Rep. Dennis Iverson	Rep. A. T. "Tom" Fastness
Rep. Robert J. "Bob" Pavlovich	Sen. Pat Bejar

LEGISLATIVE COMMITTEE ON SEED CERTIFICATION

Study to develop a practical and legally sound method of seed certification.

Sen. Mike Anderson	Rep. Eugene C. (Gene) Donaldson
Sen. Paul F. Boylan	Rep. Robert A. Ellerd
Sen. John E. Manley	Rep. George R. Johnston
Sen. Elmer D. Severson	Rep. Edward Lien

LEGISLATIVE COMMITTEE ON LEGISLATIVE IMPROVEMENT

Study of legislative standing committees and their relationship to and role in executive department oversight and methods of improving the bill drafting process.

Sen. Carroll Graham	Rep. Ann Mary Dussault
Sen. Allen C. Kolstad	Rep. Harold E. Gerke
Sen. Bill Norman	Rep. Kerry Keyser
Sen. Stan Stephens	Rep. Robert Sivertsen

A list of select, standing, and statutory committees functioning during the interim may be obtained from the Legislative Council.

APPENDIX I
RULES OF PROCEDURE
MONTANA LEGISLATIVE COUNCIL

RULE I

Each Legislative Council shall determine the rules for its meetings.

RULE II

Regular meetings of the Legislative Council shall be held in the State Capitol, Helena, Montana, unless otherwise ordered by a majority of members at a previous meeting. Special meetings may be requested by a majority of members at a previous meeting or may be called by the Chairman on at least ten (10) days notice to the members. Any member of the Legislative Council who misses two (2) consecutive meetings may be relieved of his duties by a majority of the Council.

RULE III

All meetings of the Legislative Council shall be conducted under the established rules of the Senate of the State of Montana as to quorums and parliamentary procedure as applicable.

RULE IV

If a question of statewide importance arises when the Legislature is not in session and a study committee has not been appointed to consider the question, a majority of the Council may agree to assign the question to an appropriate study committee.

RULE V

(1) The Council staff shall assist individual members of the Legislature on request by compiling and analyzing material relating to state government. Such research may not exceed two man days of work without the consent of the Council. This limitation shall not apply to the Council's bill drafting service during and immediately preceding a legislative session.

(2) Bill drafting requests will not be honored until after the Secretary of State has made his canvass of bills, except that the requests from holdover senator and legislative running unopposed may be processed as staff time permits.

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APPENDIX II
CHAIRMEN AND VICE-CHAIRMEN OF
MONTANA LEGISLATIVE COUNCILS

1957	Chairman Vice-Chairman	Sen. David F. James (D) Rep. Berg (R)
1959	Chairman Vice-Chairman	Sen. Robert L. Marks (R) Rep. George E. Howard
1961	Chairman Vice-Chairman	Sen. William E. Mackay (R) Rep. John D. Melcher (D)
1963	Chairman Vice-Chairman	Sen. William A. Groff (D) Rep. Henry S. Hibbard (R)
1965	Chairman Vice-Chairman	Sen. Earl Moritz (R) Rep. Francis Bardonouwe (D)
1967	Chairman Vice-Chairman	Sen. David F. James (D) Rep. Walter J. Oliver (R)
1969	Chairman Vice-Chairman	Sen. Frank W. Hazelbaker (R) Rep. Francis Bardonouwe (D)
1971	Chairman Vice-Chairman	Rep. Francis Bardonouwe (D) Sen. Antoinette P. Rosell (R)
1973	Chairman Vice-Chairman	Sen. Carroll Graham (D) Rep. Henry F. Cox (R)
1975	Chairman Vice-Chairman	Rep. Robert L. (Bob) Marks (R) Sen. Neil J. Lynch (D) Sen. Carroll Graham (D) (replaced Senator Lynch)
1977	Chairman Vice-Chairman	Sen. Carroll Graham (D) Sen. Frank W. Hazelbaker (R)
1979	Chairman Vice-Chairman	Rep. Oscar B. Kvaalen Sen. Pat M. Goodover

1905. The coefficients β_1 and β_2 were estimated at an estimated cost of 1.00 per unit of the estimated β_1 and β_2 , which included a 1.00 unit of the estimated β_1 and β_2 distribution.